

**SIXTY-SEVENTH DAY.**

(Continued.)

Senate Chamber,  
Austin, Texas,  
May 9, 1931.

The Senate met at 10 o'clock a. m., pursuant to recess, and was called to order by Lieutenant Governor Edgar E. Witt.

**House Bill No. 312.**

The question recurred upon the pending amendment to the amendment to H. B. No. 312.

Senator Woodward moved to table the amendment to the amendment.

The motion prevailed by the following vote:

Yeas—17.

Berkeley.	Parr.
Cousins.	Poage.
Greer.	Purl.
Hardin.	Russek.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Williamson.
Moore.	Woodward.
Neal.	

Nays—6.

Cunningham.	Oneal.
DeBerry.	Rawlings.
Gainer.	Woodruff.

Absent.

Beck.	Thomason.
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Absent—Excused.

Pollard.	Woodul.
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(Pairs Recorded.)

Senator Martin present, who would vote yea with Senator Loy absent, who would vote nay.

Senator Parrish present, who would vote nay with Senator Patton absent, who would vote yea.

The amendment was adopted.

Senator Woodward sent up the following amendment:

Amend H. B. No. 312, by adding at the end of Section 9 the following:

"Provided, however, that notwithstanding anything contained in this Act, Article 709 to 715, inclusive, of the Revised Statutes of Texas for 1925, shall apply with full force

and effect to all bonds, funding bonds and refunding bonds issued under this Act."

WOODWARD.

The amendment was read.

Senator Oneal sent up the following amendment to the amendment:

Amend Amendment No. 3 to House Bill No. 312 by adding at the end thereof the words: "That are supported by taxation."

ONEAL.

The amendment to the amendment was read.

Senator Hopkins moved to table the amendment to the amendment.

The motion prevailed.

The amendment was adopted.

Senator Woodward sent up the following amendments:

Amend H. B. No. 312, page 5, by striking out lines 61, 62, 63 and 64, and on page 6, by striking out lines 1, 2, and 3, and inserting in lieu thereof the following:

"Provided, however, that no competitive bids shall be required in case the municipality proposes to acquire an existing utility plant, and in such cases the voters shall be entitled to a referendum, only on the question of whether or not the utility shall be purchased, in the manner and under the conditions set forth in this Act."

WOODWARD.

Read and adopted.

Amend H. B. No. 312, page 6, line 20, by adding the following at the end of Section 11:

"Provided, further, that notwithstanding any provisions of this Act, and notwithstanding any provisions of its special charter, if such city or town is acting under authority of H. B. No. 981, passed by the Regular Session of the 42nd Legislature, the requirements of this Act in reference to notice, competitive bids and the right to referendum shall not apply until after June 1, 1932."

WOODWARD.

The amendment was read.

Senator Oneal sent up the following amendment to the amendment:

Amend amendment No. 5 to H. B. No. 312 by striking out the words: "until after June 1st, 1932."

ONEAL.

Read and on motion of Senator Hopkins, tabled.

Senator Woodward sent up the following amendments:

Amend H. B. No. 312, page 3, line 44, after the word "health" by inserting the following:

"Or in case of unforeseen damage to public property, machinery or equipment."

WOODWARD.

Read and adopted.

Amend H. B. No. 312, page 2, line 20, as amended by adding after the expression "or when it is necessary to preserve or protect the public health of the citizens of each county or city" the following:

"Or in case of unforeseen damage to public property, machinery or equipment."

WOODWARD.

Read and adopted.

Amend H. B. No. 312, Sec. 2, page 2, line 4 by adding after the word "bidder," the words "on the respective type of construction selected."

WILLIAMSON.

Read and adopted.

Senator Woodruff sent up the following amendment:

Amend H. B. No. 312 by striking out the words and figures "Five Thousand (\$5000.00)" where they appear conjointly in lines 24 and 25, page 3, and inserting in lieu thereof the following: "Ten Thousand (\$10,000.00)."

WOODRUFF.

The amendment was read.

Senator Woodward sent up the following amendment to the amendment:

Amend the amendment by substituting "Seven Thousand Five Hundred (\$7,500.00))" for "Ten Thousand (\$10,000.00)."

WOODWARD.

Read and adopted.

The amendment as amended was adopted.

Senator Woodruff sent up the following amendment:

Amend H. B. No. 312 by striking out the words and figures "Six Million (\$6,000,000.00)" whereas they appear conjointly in section 5 in the bill and inserting in lieu thereof

the following, viz.: "Twelve Million (\$12,000,000.00)."

WOODRUFF.

The amendment was read.

Senator Woodward sent up the following amendment to the amendment:

Amend the amendment by substituting "Nine Million (\$9,000,000.00) for "Twelve Million (\$12,000,000.00)."

WOODWARD.

Read and adopted by the following vote:

Yeas—15.

Berkeley.	Parrish.
Hardin.	Purl.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Stevenson.
Martin.	Thomason.
Moore.	Woodward.
Parr.	

Nays—8.

Cunningham.	Oneal.
DeBerry.	Poage.
Gainer.	Rawlings.
Neal.	Woodruff.

Absent.

Beck.	Greer.
Cousins.	

Absent—Excused.

Loy.	Williamson.
Patton.	Woodul.
Pollard.	

The amendment as amended was adopted.

Senator Woodruff sent up the following amendment:

Amend H. B. No. 312 by striking out the words and figures "Three Thousand (\$3,000.00)" wherever they appear conjointly in line 10, page 3, and inserting in lieu thereof the following, viz: "Ten Thousand (\$10,000.00)."

WOODRUFF.

The amendment was read.

Senator Woodward moved to table the amendment. The motion prevailed.

Senator Cunningham sent up the following amendment:

Amend House Bill No. 312 by striking out of Section 11 all of said section beginning with the first word

in line 15 of the printed bill, as follows:

"Provided, that in making such contracts, or agreements or encumbrances and in issuing revenue bonds, warrants or other obligations to be paid out of the property and income from such system or systems, the governing body of such city or town shall comply with the provisions of this Act in regard to notice and competitive bids and the right to a referendum of such question."

CUNNINGHAM.

Read and lost by the following vote:

Yeas—6.

Cunningham.	Oneal.
DeBerry.	Rawlings.
Gainer.	Woodruff.

Nays—16.

Beck.	Parr.
Berkeley.	Poage.
Hardin.	Purl.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Stevenson.
Moore.	Thomason.
Neal.	Woodward.

Absent.

Cousins. Greer.

Absent—Excused.

Pollard. Woodul.  
Williamson.

(Pairs Recorded.)

Senator Martin (present) who would vote yea, with Senator Loy (absent) who would vote nay.

Senator Parrish (present) who would vote yea, with Senator Patton (absent) who would vote nay.

Senator Oneal sent up the following amendment:

Amend H. B. No. 312 by adding at the end of Section 11 thereof, beginning in line 20, page 6 of the printed bill the following:

"Except that this proviso shall not apply in making such contracts or agreements or encumbrances and in issuing revenue bonds, warrants, or other obligations where such contracts or agreements or encumbrances or revenue bonds, warrants

or other obligations made, entered into, issued or delivered for any one year do not exceed:

(1). In the case of cities having a population of 5,000 people or less, as shown by the Federal Census immediately preceding, the amount of \$20,000.00;

(2). In the case of cities having a population of more than 5,000 and not more than 15,000, as shown by the Federal Census immediately preceding, the amount of -30,000.00;

(3) In the case of cities having a population of more than 15,000 and not more than 30,000, as shown by the Federal Census immediately preceding, the amount of \$50,000.00;

(4) In the case of cities having a population of more than 30,000 and not more than 50,000, as shown by the Federal Census immediately preceding, the amount of \$75,000.00;

(5) In the case of cities having a population of more than 50,000, as shown by the Federal Census immediately preceding, the amount of \$100,000.00."

ONEAL.

The amendment was read.

Senator Russek moved to table the amendment. The motion prevailed by the following vote:

Yeas—16.

Beck.	Neal.
Berkeley.	Parr.
Hardin.	Purl.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Stevenson.
Martin.	Thomason.
Moore.	Woodward.

Nays—7.

Cunningham.	Poage.
DeBerry.	Rawlings.
Gainer.	Woodruff.
Oneal.	

Absent.

Cousins. Greer.

Absent—Excused.

Loy. Williamson.  
Pollard. Woodul.

(Pair Recorded.)

Senator Parrish (present) who would vote nay, with Senator Patton (absent) who would vote yea.

Senator Senator Woodruff moved to adjourn until 10 o'clock Monday. The motion was lost.

Senator Rawlings sent up the following amendment:

Amend House Bill No. 312 by inserting a new section between lines 20 and 21, page 6, to be known as Section 11(a), and to read as follows:

"Section 11(a). Provided, however, that no provision in this Act shall contravene, limit, or restrict the authority or mode of procedure and the powers incident thereto now vested in cities of 150,000 population or more according to the preceding Federal Census to regulate, control, govern, acquire, own, purchase or operate any public utility."

**RAWLINGS.**

The amendment was read.

On motion of Senator Hopkins, the previous question was ordered on the amendment and the bill.

The amendment was lost.

The bill was read second time and passed to engrossment.

On motion of Senator Woodward, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 312 was put on its third reading and final passage by the following vote:

**Yeas—22.**

Beck.	Oneal.
Berkeley.	Parr.
Cunningham.	Parrish.
DeBerry.	Poage.
Hardin.	Purl.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Stevenson.
Martin.	Thomason.
Moore.	Woodruff.
Neal.	Woodward.

**Nays—2.**

Gainer.	Rawlings.
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**Absent.**

Cousins.	Greer.
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**Absent—Excused.**

Loy.	Williamson.
Patton.	Woodul.
Pollard.	

Read third time and finally passed by the following vote:

**Yeas—21.**

Beck.	Parr.
Berkeley.	Parrish.
DeBerry.	Poage.
Greer.	Purl.
Hardin.	Russek.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Moore.	Woodruff.
Neal.	Woodward.
Oneal.	

**Nays—3.**

Cunningham.	Rawlings.
Gainer.	.

**Absent.**

Cousins.

**Absent—Excused.**

Patton.	Williamson.
Pollard.	Woodul.

**(Pair Recorded.)**

Senator Martin (present) who would vote yea, with Senator Loy (absent) who would vote nay.

Senator Woodruff spread on the Journal a motion to reconsider the vote by which H. B. No. 312 was finally passed.

Senator Hopkins called up the motion and moved to table it. The motion prevailed.

**Conference Committee Appointed.**

The Chair appointed the following Senate Conference Committee on S. B. No. 375:

Senators Hardin, Neal, Greer, Thomason and Cunningham.

**Motion to Print.**

Senator Woodward spread on the Journal a motion to print H. B. No. 331 on minority report.

Senator Woodward received unanimous consent to have the committee substitute for the bill printed in the Journal with the understanding that this printing was not intended to satisfy the rule requiring bills to be printed but only for the information of the Senate.

**Messages From the House.**

Hall of the House of Representatives,  
Austin, Texas, May 9, 1931.  
Hon. Edgar E. Witt, President of the  
Senate.

Sir: I am directed by the House  
to inform the Senate that the House  
has adopted the following resolution:

S. C. R. No. 47, Providing for a  
joint session of the House and Sen-  
ate to receive a bust of George Wash-  
ington.

The following members have been  
appointed on the part of the House  
to make arrangements for the speak-  
ing of Honorable Jouett Shouse:

McCombs, Harrison of El Paso,  
Warwick, Wagstaff, McGregor, Kel-  
ler, and Beck.

Respectfully submitted,  
LOUISE SNOW PHINNEY,  
Chief Clerk, House of Representatives.

Hall of the House of Representatives,  
Austin, Texas, May 9, 1931.  
Hon. Edgar E. Witt, President of the  
Senate.

Sir: I am directed by the House  
to inform the Senate that the House  
has passed the following bills:

H. B. No. 261, A bill to be entitled  
"An Act imposing an occupation tax  
upon wholesalers, as defined herein,  
of oleomargarine and other substi-  
tutes for butter, as defined herein;  
providing the amount of the tax and  
the time, method and manner of pay-  
ing the same; providing that the  
same shall be placed one-fourth to  
the credit of the available public  
school and remainder to general rev-  
enue fund, etc., and declaring an  
emergency."

H. B. No. 1017, A bill to be entitled  
"An Act amending Chapter 44, Acts  
Regular Session, Forty-first Legis-  
lature, and declaring an emergency."

Respectfully submitted,  
LOUISE SNOW PHINNEY,  
Chief Clerk, House of Representatives.

**House Bills Referred.**

H. B. No. 1017 referred to Com-  
mittee on Educational Affairs.

H. B. No. 261, referred to Com-  
mittee on State Affairs.

**Bills Introduced.**

By an affirmative vote of four-  
fifths of the membership of the Sen-  
ate, the Constitutional Rule relating

to the introduction of general bills  
during the last 90 days of the session  
was suspended and consent was  
granted to introduce the following  
bills:

By Senator Beck:

S. B. No. 623, A bill to be entitled  
"An Act making an emergency ap-  
propriation of money to the State  
Treasurer; providing the purposes  
thereof, the means and manner of  
expenditure, and declaring an emer-  
gency."

Read and referred to Committee  
on Finance.

By Senator Beck:

S. B. No. 624, A bill to be entitled  
"An Act re-appropriating certain un-  
expended balances in the appropri-  
ations made by the regular session  
and the called sessions of the Forty-  
first Legislature for mileage and per  
diem and for contingent expenses so  
that said unexpended balances may  
be available for mileage and per  
diem and for contingent expenses of  
the Forty-second Legislature, and de-  
claring an emergency."

Read and referred to Committee  
on Finance.

**Senators Excused.**

The following Senators were ex-  
cused for the day:

Senator Patton, important busi-  
ness, On motion of Senator Parrish.

Senator Loy, illness in his family,  
on motion of Senator Martin.

Senators Woodul and Pollard, im-  
portant business, on motion of Sen-  
ator Hornsby.

Senator Williamson, important  
business, on motion of Senator Wood-  
ward.

**Bills Signed.**

The Chair, Lieutenant Governor  
Edgar E. Witt, gave notice of sign-  
ing, and did sign, in the presence of  
the Senate, after their captions had  
been read, the following bills and  
resolution:

H. B. No. 986. H. B. No. 943.

H. B. No. 845. H. B. No. 39.

H. B. No. 470. H. B. No. 239.

H. B. No. 717. H. C. R. No. 59.

**H. C. R. No. 25.**

The Chair laid before the Senate:  
H. C. R. No. 25, Relating to farmers purchasing cotton seed from the Prison System.

Read and adopted.

**H. C. R. No. 56.**

The Chair laid before the Senate:  
H. C. R. No. 56, Giving Judge Watkins leave of absence.

Read second time.

Senator Purl sent up the following amendment:

Amend House Concurrent Resolution No. 56 by adding the following:

"And the following named District Judges of Dallas County are hereby granted permission to be absent from the State of Texas during the year of 1931 should occasion arise necessitating their temporarily leaving the State:

Judge Claude McCallum

Judge Chas. A. Pippen

Judge Grover Adams

Judge Tom Work

Judge Towne Young

Judge W. M. Taylor

Judge Kenneth Foree

Judge Robert B. Allen, Sr.

PURL.

Read and adopted.

The resolution as amended was adopted.

**Recess.**

Senator Moore moved to recess until 2 o'clock p. m., Monday.

Senator Poage moved to adjourn until 10 o'clock a. m., Monday.

Senator Woodruff moved to recess until 10 o'clock a. m., Monday.

The motion to adjourn was lost.

The motion to recess until 2 p. m., prevailed and at 1:02 o'clock p. m., the Senate recessed.

**APPENDIX.****Committee Reports.**

Committee Room,

Austin, Texas, May 9, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 622, A bill to be entitled

"An Act authorizing any corporation heretofore organized and incorporated under Article 1495 and Article 1496 of the Revised Civil Statutes of 1925, or any prior law, or any corporation that may hereafter be organized under said articles and owning or operating oil pipe line or lines in this State, to lease or attach to their line or lines other pipe line or lines, by lease or purchase, and to join with any other corporation authorized to own and/or operate an oil pipe line or lines, person or association in conducting, leasing, owning, using, operating or maintaining pipe line or lines, upon such terms as may be agreed upon between the directors or managers of the respective corporations, and to own and hold any interest in such line or lines or to become lessees or lessors thereof, on such terms as the respective corporations, persons or associations may agree to; and providing that nothing herein shall be construed as authorizing any such corporation or person to violate any provision of the Anti-Trust Laws of this State; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

WOODWARD, Chairman.

Committee Room,

Austin, Texas, May 9, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, a majority of your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 331, A bill to be entitled "An Act making provisions for the enforcement of tax liens of County and State and cities and towns and districts, and all subdivisions of government with taxing power, where taxes are unpaid and delinquent on real property by eliminating the foreclosure thereof by suits in courts, and by invoking the summary sale method providing for notice, advertisement, sale, execution and delivery of deed by collector, effect of deed, defenses, redemption, fees, costs disposition of pending suits, quieting title, making the same applicable to all existing delinquencies for years 1915 to 1930 inclusive and thereafter and making the present Statutes requiring foreclosure suits in

court applicable only for year 1914 and prior thereto, constituting the Comptroller, Tax Commissioner and Attorney General of Texas as a Tax Board to determine in what instances property adjudicated to the State should be relinquished and not sold; and declaring an emergency."

And the Committee Substitute as adopted by the Committee, have had the same under consideration and I am instructed to report the same back to the Senate with recommendation that the original bill and the committee substitute do not pass.

WOODWARD, Chairman.

Committee Room,  
Austin, Texas, May 9, 1931.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, a minority of your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 331, A bill to be entitled "An Act making provisions for the enforcement of tax liens of County and State and cities and towns and districts, and all subdivisions of government with taxing power, where taxes are unpaid and delinquent on real property by eliminating the foreclosure thereof by suits in courts, and by invoking the summary sale method providing for notice, advertisement, sale, execution and delivery of deed by collector, effect of deed, defenses, redemption, fees, costs, disposition of pending suits, quieting title, making the same applicable to all existing delinquencies for years 1915 to 1930 inclusive and thereafter and making the present Statutes requiring foreclosure suits in court applicable only for year 1914 and prior thereto, constituting the Comptroller, Tax Commissioner and Attorney General of Texas as a Tax Board to determine in what instances property adjudicated to the State should be relinquished and not sold; and declaring an emergency.

Beg leave to differ with a majority of your Committee and recommend that the committee substitute hereto attached do pass in lieu of the original bill.

WOODWARD,  
SMALL,  
ONEAL.

Committee Room,  
Austin, Texas, May 9, 1931.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 621, A bill to be entitled "An Act making an emergency appropriation out of the general revenue of the State for the purposes named herein, for the balance of the fiscal year ending August 31, 1931, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed in the Journal only.

BECK, Chairman.

S. B. No. 621.

By Beck.

#### A BILL To Be Entitled

An Act making an emergency appropriation out of the general revenue of the State for the purposes named herein, for the balance of the fiscal year ending August 31, 1931, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That the sum of Six Thousand Four Hundred (\$6,400.00) Dollars be, and the same is hereby, appropriated out of any funds in the State Treasury, not otherwise appropriated, as supplemental appropriation for the Ranger Force in the Department of the Adjutant General, to cover camp equipage, traveling expenses, fuel, lights, water, medical attention, funeral expenses, stamps, stationery, freight, express, telegraph, telephone, and contingent, for the balance of the fiscal year ending August 31, 1931, which appropriation shall be in addition to the appropriation heretofore made for such purposes.

Sec. 2. The fact that the appropriation made for the above named purposes is almost exhausted and will become exhausted before the expiration of the period for which it was appropriated, and the necessity for maintaining the Ranger Force and for such services as may be required by law, creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days be suspended and that this act shall take effect and be in force from and after its passage, and it is so enacted.

By Johnson of C. S. H. B. No. 331.  
Dimmit, Weinert, Hubbard, Johnson of Morris, Jones of Shelby, Adams of Jasper,

Barron, West of Coryell, Ray, Hardy, Kennedy, Graves, Bond, West of Cameron, Dunlap, Johnson of Dallam, Metcalfe, Van Zandt.

# A BILL

## To Be Entitled

An Act making provisions for the enforcement of tax liens of County and State and cities and towns and district, and all subdivisions of government with taxing power, where taxes are unpaid and delinquent on real property by eliminating the foreclosure thereof by suits in Court, and by invoking the summary sale method providing for notice, advertisement, sale, execution and delivery of deed by Collector, effect of deed, defenses, redemption, fees, costs, disposition of pending suits, quieting title, making the same applicable to all existing delinquencies for years 1925 to 1930 inclusive and thereafter, and making the present Statutes requiring foreclosure suits in Court applicable only for year 1914 and prior thereto, constituting the Comptroller, Tax Commissioner and Attorney General of Texas as a Tax Board to determine in what instances property adjudicated to the State should be relinquished and not sold; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. In making sales of real property for taxes, the Collector shall advertise the same for sale together with a notice addressed to all delinquents, unknown owners, lienholders and all persons interested therein, in some newspaper published in the County where the land is to be sold, once a week for three successive weeks, if there be one, previous to the day of sale and the publisher of such newspaper shall receive as compensation not exceeding twenty-five (25) cents for each tract or parcel of land so advertised to be taxed as other costs of sale against such lands. The term tract in this Section shall mean all lands or lots in any survey or section or block or part thereof delinquent and owned and listed together by the same party. If there be no newspaper published in the County, or there being a newspaper published in the County and the publisher thereof refuses to publish the advertisement at the

price herein fixed, then the advertisement shall be made by posting the same for thirty (30) days previous to the day of sale, at the Courthouse door and three other public places in the County where the land or lots are situated, giving in said advertisement such description as is given to the same on the tax rolls in his hands, or an abstract thereof, stating the name of the owner if shown on the tax roll, and if shown as unknown say "unknown" together with the aggregate total amount of taxes delinquent, with the time, and place of sale; said sale to be for cash, to the best bidder, at public outcry, at the Court House door, and between legal hours, at the 1st Tuesday of the month as provided in Section 6 of this Act. It is made the duty of the Commissioners' Court of the County and the governing body in other taxing subdivisions to contract for said advertisement if published and pay therefor and be reimbursed by the Collector when and as the costs are paid.

Sec. 2. The Tax Collector shall execute and deliver to the purchaser, upon the payment of the amount for which the property was sold, and the cost and penalties, a deed for the real estate sold, which deed shall vest a good and perfect title to said land in the purchaser, if not redeemed in two (2) years, as provided by law, which deed shall state the cause of sale, the amount sold, the price for which the real estate was sold, the name of the person, firm, company or corporation in whose name assessed, and if shown as unknown say "unknown," the same description of the land as is given in the tax rolls, and such other description as may be practicable for better identification; and when real estate has been sold, he shall convey, subject to the right of redemption provided for in Section 3 of this Act, all the right and interest which the former owner, and all lienholders and all parties interested therein, had therein at the time the sale was made, also subject to quiet title proceedings specified in this Act.

Sec. 3. The owner of the real estate sold for the payment of taxes, or his heirs or assigns or legal representatives, may, within two (2) years from the date of purchaser's deed redeem the land by paying or tendering to the purchaser, his heirs



or legal representatives double the amount of money paid for the land; provided that, subject to the owner's right to redeem as aforesaid, any lienholder or party interested therein may within the time above specified redeem said property under the same provisions.

Provided, however, that in the event House Joint Resolution No. 24 is adopted that from and after it becomes effective the law of redemption in lieu of the foregoing provision shall be as follows:

The owner of the real estate sold for the payment of taxes or his heirs or assigns or legal representatives, may, within two (2) years from the date of filing for record of the purchaser's deed, have the right to redeem the land on the following basis:

(1) Within the first year of the redemption period upon the payment of the amount of money paid for the land, including One Dollar (\$1.00) tax deed recording fee and all taxes, penalties, interest and costs paid plus twenty (20%) per cent of the aggregate total.

(2) Within the last year of the redemption period upon the payment of the amount of money paid for the land, including One (\$1.00) Dollar tax deed recording fee and all taxes, penalties, interest and costs paid plus forty (40%) per cent of the aggregate total.

Provided, that, subject to the owner's right to redeem as aforesaid, any lienholder or party interested therein may within the time above specified redeem said property under the same provisions.

Sec. 4. All lands or lots that are delinquent for taxes due thereon for the year 1915 and each year thereafter, or which may hereafter be returned delinquent or reported sold to the State or to any city or town, or any district or other taxing subdivision shall be subject to the provisions of this Chapter, and said taxes shall remain a lien upon the said land, although the owner be unknown, or though it be listed in the name of a person not the actual owner; and though the ownership be changed, the land may be sold without suit or judgment of Court, for all taxes, interest, penalty and costs shown to be due by such assessment for any preceding year covered by

this Act and no statute of limitation shall apply or be a defense against any tax legally due. When this Act takes effect if suit in Court is pending, without contest of defendant, then all such suits shall be dismissed as to all years of delinquency covered by this Act, and the same shall be sold with accrued costs affixed as costs under the provisions of this Act; provided that in all cases where judgment has been taken and order of sale has not been executed, and in all cases where contest is being urged, then, and in those cases only, shall the same be enforced under the laws in force at the time this Act takes effect.

Sec. 5. Within thirty (30) days after delinquency each year, or as soon thereafter as practicable the collector of taxes shall mail to the address of each owner of any lands or lots, such address and owners as shown by the tax roll, a notice showing the amount of taxes delinquent or past due and unpaid against all such lands and lots as shown by the delinquent tax rolls on file in the office of the Tax Collector, but failure to send or receive such notice shall be no defense to sale for unpaid taxes. Such notice shall also contain a brief description as shown by the tax rolls of the lands and lots appearing delinquent and the amount due against such lands and lots for each year they appear to be delinquent, and it shall also recite that unless the owner of such lots or land described therein shall pay to the Tax Collector the amount of taxes, interest, penalties and costs set forth in such notice within thirty (30) days from the date of notice, that the same will be fully advertised and notice given as by this Act required and sold as provided by this Act. The Tax Collector shall furnish on demand of any person, firm or corporation statements with reference to any particular lot or tract of land for whatever purpose desired, which shall be in all instances certified by him with seal of his office attached, and it is specially provided that any lienholder may at any time after delinquency and before the notice provided for in this Section has been mailed, file with the Tax Collector a description of the real estate upon which such lien exists, giving the name and post office address of such

lienholder, and the notice provided in this Section shall also be mailed by the collector to such lienholder the same as the owner as above specified. Whenever any person, or persons, firm or corporation shall pay to the Tax Collector all the taxes, interest, penalties and costs shown by the delinquent tax rolls to be due and unpaid against any tract, lot or parcel of land for all the years for which taxes may be shown to be due and unpaid, prior to tax sale, the Tax Collector shall issue to such person or persons, firm, or corporation, a receipt covering such payment as is now required by law.

Sec. 6. No suit in Court shall be required to to enforce tax liens and authorize sale of property for unpaid delinquent taxes. Whenever any taxes on real estate have become delinquent it shall be the duty of the Tax Collector within the last six months of each year next succeeding the year of such delinquency after advertisement as provided in Section 1 of this Act to sell without suit the least quantity or interest of property which any bidder will buy for cash equivalent to the amount of taxes, interest, penalties and costs, including the costs of sale, and if no bid is received for less than all of said property, then to sell without suit all of said property for cash equivalent to the amount of taxes, interest, penalty and costs including the cost of sale, and such bidder shall be deemed the best bidder and if no sufficient bid is received to pay the sums aforesaid the same shall be bid in by the Collector in the name of the State of Texas for the benefit of the State and County, provided that in a city, town, district, and all subdivisions of government in which the State does not receive any part of the taxes, then and in that event the Tax Collector thereof shall bid in the same in the name of such city, town, district or subdivision respectively. If the judicial hours of the sale day be not sufficient time, the sales shall continue during the judicial hours of the next succeeding day just the same and so on, except Sunday, until, such sales are completed; provided that where an owner or bona fide lineholder has, prior to the day of sale, instituted suit in the District Court of the County where the land is situated

attacking such tax, the Clerk of the District Court shall notify the Collector of such suit and give a description of the property involved, whereupon such property shall be advertised for sale just the same as other delinquent property but shall not be sold until after such case has been determined, when it may be sold on any judicial sale day without further notice or advertisement unless the final decree shows no taxes, interests, penalties or costs are due; and provided further that where, prior to the time when penalty accrues, legal tender is made to the tax collector by the owner or lienholder to pay taxes on such amount as the owner or lienholder claims to be due, the State or any taxing subdivision shall at any time after the tender is made bring suit in the district court of the county where the property is situated to determine the correct amount due, and until such suit is finally determined the tax collector shall not make sale of the property, but the same shall be advertised by the collector just the same as other delinquents, and if the final decree in said suit shows the tender was insufficient to cover the correct amount due, said property shall thereafter without further advertisement, on any judicial sale day be sold under the provisions of this Act to enforce the collection of such deficiency and all costs of court, including a reasonable attorney's fee to be fixed by the court for the plaintiff's attorney, which fee shall not exceed the sum of Fifty Dollars (\$50.00) when the amount of tax involved is less than Five Hundred Dollars (\$500.00) and when the amount of tax involved is Five Hundred Dollars (\$500.00) or more, said fee shall not exceed 10% of the amount of the tax involved. In the event the collector fails or refuses to make such sale within the time as in this Act provided, such failure or refusal shall be an act of malfeasance and he shall be subject to removal from office and it shall become, in such event, the duty of the District Attorney of the judicial district in which such collector resides to institute proceedings to remove such collector from office, and in event said district attorney fails or refuses so to do within three (3) months after the time for such sale

in this Act, then and in that event only it shall become the duty of the Attorney General of the State of Texas to institute such ouster suit in the county where such collector resides, and the new collector appointed or elected shall, as early as practicable thereafter, cause the same to be duly made. From and after this Act takes effect, all pending tax suits shall be governed by the provisions in Section 4 of this Act and no further tax suits shall be required to be filed to enforce tax liens on delinquent taxes, covered by this Act, and as to all delinquent taxes on real property for the years 1915, to the year 1930, inclusive, the Tax Collector shall as early as practicable within two (2) years, enforce and collect the same by the same method as provided for the annual sales except that it shall not be necessary to mail any notices for years prior to 1930 as provided in Section 5, of this Act; and specially provided that for the years 1915 to 1930, inclusive, the notice and advertisement required by Section 1 of this Act may include all delinquencies for all of said years in one notice and advertisement and sale, or the same may be made in as many advertisements and sales as may be deemed practical; and for delinquencies for years 1915 to 1930, inclusive, no parcel or real estate shall be advertised and/or sold under but one advertisement, and such advertisement shall show the year of delinquency, and if delinquent for more than one (1) year, then such advertisement shall show consecutively all years of delinquency in the same notice and the one sale shall be for all the delinquencies against that particular parcel of real estate, and in such event each year shall constitute a separate tract in determining the compensation for publishing the same. The delinquent roll and delinquent lists shall be in the hands of the Tax Collector the same as, and have all the force and effect of an execution and order of sale in the hands of an executive officer. No tax sale shall be had under this Act prior to the judicial sale day in December 1932.

Sec. 7. Where the property is bid off to the State, the Tax Collector shall make and execute a deed to the State, showing in each case, the amount of taxes, interest, penalty

and costs for which sold, and the Clerk's fees for recording deeds. He shall cause such deeds to be recorded in the Record of Deeds by the County Clerk in his county only in those cases where the Delinquent Tax Board after investigation has found the same not subject to cancellation as provided herein and when so recorded, shall forward the same to the Comptroller. The County Clerk shall be entitled to a fee of One Dollar (\$1.00) for recording each such deed to the State, to be taxed as other costs. When land thus sold to the State shall be redeemed the Tax Collector shall make the proper distribution of the moneys received by him in such redemption, paying to each officer the amount of costs found to be due, and to the State and County the taxes, interest, and penalty found to be due each respectively. If any of the land thus sold to the State is not redeemed within the time prescribed by this law, the Tax Collector shall sell the same at public outcry to the highest bidder for cash at the principal entrance to the Courthouse in the County wherein the land lies, after giving notice of sale in the manner now prescribed for sale of real estate under execution. Said notice shall contain brief description of the land to be sold, which notice may contain more than one tract and may contain as many tracts as may be at the time legally authorized for sale under this Section, the date of its purchase by the State, and the price for which the land was sold to the State; that it will be sold at public outcry to the highest bidder for cash, date and place of sale. All sales contemplated herein shall be made in the manner prescribed for the sale of real estate under execution. Nothing herein shall be construed as prohibiting the State, acting through the County Attorney of the County where the land lies, or its Attorney General, from instituting an action to set aside the said sale on the grounds of fraud or collusion between the officer making the sale and the purchaser. The Tax Collector shall send the amount received from such sale to the State Treasurer after deducting the amount of the County taxes, interest and penalty of the County tax which he shall pay to the County Treasurer. The Tax Collector in behalf of the

State shall execute a deed conveying title to said property when sold and paid for; provided, however, that before any sale, under this Article, of property that has been or in the future shall have been sold to the State, the Comptroller, the Tax Commissioner, and the Attorney General of Texas are hereby designated and constituted the Delinquent Tax Board and said Board shall investigate as to the record of the sales to the State, and those appearing regular shall be sold to the highest bidder as provided by law, and in event of material irregularity or excessive assessed valuation or excessive or illegal costs or insufficiency of description, then and in either event such sale to the State shall be null and void and canceled by a certificate of the facts signed by any two (2) members of said Board and forwarded to the Tax Collector of the County where the real property is situated for delivery to the owner, and such certificate of cancellation may be recorded in the official records of the County where the land is situated. The said Delinquent Tax Board shall prescribe such forms as are necessary in the enforcement of delinquent State and County tax liens on real property, but any form carrying out the substance of said provisions shall have all the force and effect of prescribed forms.

Sec. 8. In all cases in which lands may be sold under the provisions of this Act, for default in the payment of taxes, the Tax Collector selling the same, or any of his successors in office, shall make a deed or deeds to the purchaser or to any other person to whom the purchaser may direct the deed to be made and said deed may include any number of tracts sold together or separately to the same purchaser, and any such deeds shall be held in any Court of law or equity in this State to vest good and perfect title in the purchaser thereof against the owner and all lienholders in all parties interested therein subject to be impeached only for actual fraud; and the fact that the taxes were paid on part of the property sold, prior to the sale thereof, or that part thereof was not subject to taxes, shall not be a cause for annulling the sale as to any part thereof on which the taxes for which it was

sold were delinquent and unpaid. Said tax deed or certified copy thereof, shall be admissible in evidence in all Courts as prima facie evidence of the following facts:

1. That the property covered in said deed was subject to taxation at the time of the assessment thereof.

2. That none of the taxes for which said property was sold were paid.

3. That the property was not redeemed in the time prescribed by law.

4. That the property was listed and assessed according to law.

5. That the taxes were levied according to law.

6. That the property was advertised and notice given all owners, lienholders, and all persons interested therein according to law.

7. That the property was adjudicated and sold to the purchaser as stated in the deed.

8. That all requisites of the law were complied with by all the officers from the listing and assessment of said property inclusive up to and including the execution and delivery of the deed to the purchaser; and that all the prerequisites to the exercise of the power to make such sale were duly and legally complied with.

In order to invalidate the deed and sale it shall be necessary for the party attacking it to prove that all the taxes for all the year for which it was sold had been paid before the sale, or that the property was redeemed according to law, or that the same was exempt from taxation for all the year for which it was sold, or collusion; provided that an official tax receipt or Tax Collector's certificate may be recorded in the official tax receipt records or the deed records in the County Clerk's office and the same or a certified copy thereof from the official records of the County Clerk's office showing that all the taxes thereon for the year sold and all costs were paid prior to the date of sale, shall be prima facie proof that such tax deed is null and void; further specially provided that no judgment annulling a tax sale shall have effect until the amount paid for the land, and all taxes and costs paid, with ten per cent (10%) per annum interest on the amount paid

for the land, and all taxes and costs paid from the date of respective payments be paid to the holder of the tax title, but this provision shall not apply to sales annulled on account of taxes and costs having been paid prior to the date of sale, or on account the property was not subject to taxation. Provided, however, that the purchaser of land at tax sale or the holder of the tax title shall have no right of possession until the expiration of the redemption period, and not then until said purchaser, his heirs or assigns, executors or administrators, successors or legal representatives, shall have instituted suit in the District Court in the County where the land is situated to quiet said tax title, it being especially provided that unless said suit to quiet tax title is instituted within four (4) year from the date the redemption period begins, such tax deed shall become absolute void ab initio; and at any time prior to the entering of the final decree in said suit, but not after the entering of final decree, the owner or lienholder or other party interested shall have the further right in addition to the right of redemption as herein provided to pay or tender to the holder of the tax title or to pay into Court, double the amount paid for the land at tax sale plus double the cost of recording the tax deed, plus double all other legal taxes, penalties, interest, and costs if any, paid by any holder of said tax title plus a reasonable attorney's fee as may be fixed by the Court and in such event the tax deed and tax title shall be set aside, and in cases where the aggregate amount of such payment or tender is less than One Thousand Dollars (\$1,000.00), the attorney's fee to be fixed by the Court shall not be in excess of Fifty Dollars (\$50.00); further specially provided that in actions to quiet tax title two or more former owners, proprietors, lienholders of, parties interested in separate tracts who have no privity or common interest may, at the option of the holder of said tax title be joined and brought into Court in one and the same suit. In the event such suit involves a tax title of an undivided interest in real property, the holder of such tax title may, also, in addition to maintaining his suit to quiet title, exercise his right

of partition. In suits authorized by this Act wherein citation by publication shall issue, said citation by publication shall be sufficient if it shows the names of the parties, the number of the suit, when returnable, and a brief description of the property or a reference to any official record description thereof, and in substance that the suit is for the purpose of quieting tax title or tax titles and/or partitions as the case may be; and, except herein otherwise specified, the Statutes governing actions in trespass to try title and partitions and all other laws applicable shall govern.

Sec. 9. For preparing each tax deed and assisting the Collector in preparing the notice and advertisement for sale provided in Section 1 of this Act the county or District Attorney who is actually representing the county or District Attorney in such matters shall receive a fee of fifty (50) cents to be taxed as costs of sale and for executing and acknowledging each deed the Tax Collector shall receive a fee of One Dollar (\$1.00) to be taxed as costs of sale. Provided that if more than one sale is made to the same purchaser all sales to the same purchaser may be evidenced by the same deed, and for each sale after the first sale the fees of the Attorney and Collector shall be fifty per cent (50%) of the respective amounts above specified. For preparing the annual delinquent list of assessments charged to the Tax Collector upon the tax roll, but which have not been collected at the time of his annual settlement with the State and County, separating the property previously sold to the State from that reported sold as delinquent for preceding years and for prorating the State taxes into State revenue, State school and State pension, calculating the penalty, extending it and adding it in with the other taxes, balancing the delinquents lists and certifying it to the Commissioners' Court and the Comptroller, the Tax Collector shall be entitled to a fee of One Dollar (\$1.00) for each correct assessment of land to be sold, said fee to be taxed as costs against the delinquent. The tax collector shall compile a delinquent tax record in duplicate of all delinquency on each tract in numerical, consecutive order, in the man-

ner and form as prescribed by the Comptroller's Department, for the years 1915 to 1930, inclusive, and an annual supplement thereafter, the word "tract" shall be construed as defined in Section 1 of this Act; and for compiling same the Tax Collector shall be allowed upon the approval of such record or supplement by the Commisisoners' Court and the Comptroller, to deduct the actual cost of same, not to exceed a sum equal to five cents per item of delinquency, one-half of such deduction to be taken from delinquent state tax collections and one-half from delinquent county tax collections, and such costs shall be taxed as costs and upon collection shall distribute one-half of such costs, as collected, into each the State and the County delinquent tax funds; provided, however, that where such delinquent tax record has already been compiled, the same shall be sufficient for the years covered thereby. One copy of such record shall be kept in the Tax Collector's office and the other delivered to the office of the Comptroller of the State of Texas. All redemptions and/or sales made from the delinquent list or lists or record shall be posted on said delinquent record. For issuing notices to taxpayers, issuing statements in regard to particular tracts of land required by this law, preparing redemption certificates, and receipts, reporting and crediting redemptions, posting Comptroller redemption numbers on the delinquent roll, mailing certificates of redemption to taxpayers after approval by the Comptroller, and for preparing the list and notice and causing advertisement thereof as required by Section 1 of this Act, the Tax Collector shall receive five per cent (5%) of all delinquent taxes collected by him which, together with all other fees shall be accounted for as fees of office, and shall not be retained by such Tax Collectors so as to increase the maximum compensation now allowed by law for such respective office.

Sec. 10. All fees and costs authorized by law shall be taxed as costs against the land to be sold by the Tax Collector and paid out of the proceeds of sale of same after the taxes, penalty and interest due thereon are paid, and in no case shall the State or County or city or town

or district or other subdivision be liable therefor, unless by law so specified.

Sec. 11. Where lands or lots shall hereafter be sold to the State or to any city or town or district or other subdivision for taxes, the owner or any one having an interest in such lands or lots shall have the right at any time within two (2) years from the date of sale to redeem the same upon payment of the amount of taxes for which sale was made, together with all costs and penalties required by law, and also payment of all taxes, interest, penalties, and costs on or against said land or lots at the time of the redemption. Any delinquent taxpayers whose lands have been returned delinquent or reported sold for taxes due thereon, or anyone having an interest therein, may redeem the same at any time before the lands are sold under the provision of this Act by paying to the Collector all taxes delinquent thereon plus penalties, interest and costs.

Sec. 12. In all cases where lands in this State have been or may be sold for taxes, and the owner of the land, at the time of such sale, shall desire to redeem the same, under the provisions of the Constitution, or of laws enacted on that subject, it shall be sufficient to entitle such owner to redeem from the purchaser or purchasers thereof for him to have had a paper title to such land, or to have been in possession of such land in person or by tenant, at the time when such sale was made; and the existence of such facts and conditions shall be sufficient prima facie evidence of ownership to entitle the party so claiming ownership to the right to redeem such land; and he shall not be required to deraign title from the sovereignty, nor shall any hiatus or defect in his chain of title defeat the offered redemption. Nothing herein shall be held to limit the right of one offering to redeem to prove ownership otherwise than herein provided, nor prevent any one having the superior title from redeeming such land within two (2) years from the date of the tax sale by paying to the person who has previously redeemed such lands the amounts provided by law.

Sec. 13. In any incorporated city or town or Independent School Dis-

tract, or Water Improvement District or any other district or subdivision of government organized under the laws of Texas authorized to levy and collect taxes in which any tracts, lots, outlots or blocks of land, situated therein have been returned delinquent, or reported sold to said city or town or district for the taxes due thereon, the governing body may prepare or cause to be prepared lists of delinquents in the same manner as provided in this Chapter, and such lists shall be certified to as correct, by the Mayor or the presiding officer of the governing body. After said lists have been properly certified to, the governing body may cause notice to be published in a newspaper as provided for State and County delinquent taxes in this law, and said property shall be sold under the provisions of this Act.

All provisions of this Act are made available for, and shall be applied to the collection of delinquent taxes of cities and towns and Independent School Districts and Water Improvement Districts and all other districts and subdivisions of government organized under the laws of Texas, authorized to levy and collect taxes insofar as such laws are applicable.

Sec. 14. In all sales to enforce the collection of delinquent taxes, where the assessment of any property for any year is invalidated by reason of the failure of the assessor to comply with the provisions of law for the description of any lot, block, or tract of land, or to give a separate value on each lot, block, or tract of land, known as "bulk assessments" or to enter upon the lists (similar to that used for the listing of rendered property, to be signed by the owner) all items of property assessed to unknown owners, all such assessments are hereby validated and given the same force and effect as if the description, the separate valuation and the listing were in all respects strictly in compliance with law; provided, as to description, that the description given are sufficient when aided by outside record or parol evidence to identify the property, as to separate values, that the valuations and the taxes shown upon the tax rolls (in what are called "bulk assessments") can be approximately and fairly prorated to each separate lot, block, or tract of land;

and, as to listing, that the valuation given on the tax rolls upon properties assessed as unknown are found to have been entered upon the assessor's block book as the original assessment, instead of listing as in rendered assessments and then entering upon the tax rolls.

Sec. 15. After any tax imposed by the State or any county, municipality, school district or other political subdivision, has become due and payable, the owner of any property subject to such tax, may make application to the officer authorized to collect such tax for a transfer of the tax lien and obligation to any person willing to pay such tax. The application shall contain the name of the party to whom transfer is to be made, a description of the property subject to the tax, the amount of the taxes due and payable, the date on which the taxes are to be paid to the transferee, and it shall be signed and acknowledged by the owner or owners of such property. Upon receipt of such application the Tax Collector shall endorse same officially, and upon payment of the taxes due, such Tax Collector shall issue proper tax receipt, as now required by law to the party making such payment, and in addition thereto issue a certificate transferring the tax obligation and tax lien to the party named in such application, and deliver such application, receipt, and certificate to the party paying the tax. The form of such certificate shall be prescribed by the Comptroller, and it shall recite the name of the party paying the taxes, the amount of such taxes, the year for which assessed, and it shall state to whom the taxes are due and by whom payable, when the assigned taxes shall be paid contain a brief description of the property taxed, also a recital that the tax obligation and tax lien is transferred to the party making payment, and it shall be signed and sealed by the Tax Collector. Such certificate or a certified copy thereof shall be admissible in evidence in any court of this State and have all the force and effect as if acknowledged as required for deeds and other conveyances.

Sec. 16. The certificate provided for in Section 15 hereof shall except as to any unpaid taxes and/or any taxes thereafter accruing be and constitute a first and prior lien upon

the property against which the taxes were due, and the transferee shall be subrogated to all the rights and powers of the State or political subdivision to which the taxes were due. Such certificate shall be recorded in the deed records of the county where the property is located within sixty (60) days after the date thereof, or the same shall be void, except as between the parties thereto or subsequent creditors, lienholders, or owners.

Sec. 17. The indebtedness evidenced and secured by tax certificates as provided herein shall bear interest at the rate of eight per cent (8%) per annum from date until paid; it shall be due and payable at the county seat of the county where the property is located, on or before one year after date, and in event the same is not paid on or before maturity the lien may be foreclosed in any court of competent jurisdiction in the same manner as prescribed by law for foreclosing contract lien, provided, however, said certificate may be cancelled by payment of the principal and interest at any time after the issuance thereof.

Sec. 18. The County Clerk shall be entitled to a fee of fifty (50) cents for recording such certificate, and the Tax Collector shall be entitled to a like sum for issuing same, which said fees shall be treated as ordinary fees of office.

If there are two or more separate tracts of real estate covered by any one certificate, any person owning or acquiring any tract may require the holder of such certificate to accept the amount of principal and interest due against such tract and to release the lien insofar as such tract is concerned.

In the event any certificate is issued and the taxes that are paid are held invalid, any such political subdivision shall reimburse the owner thereof.

Sec. 19. Article 7276, 7277, 7280, 7281, 7283, 7320, 7324, 7326; 7327, 7328 as amended by Chapter 99, Page 260 et. seq. sec. 1st Called Session of the 40th Legislature of Texas, 7329, 7330, 7331, 7332, 7333, 7334, 7335, 7337, 7340, 7341, 7342, 7343,

and 7351 of the Revised Civil Statutes of the State of Texas of 1925, and also Chapter 20, Page 25, Acts of Regular Session of 40th Legislature, and Chapter 69, Page 195, and Chapter 70, Page 195-6, of the Acts of the 1st Called Session of the 40th Legislature, and Chapter 48, Page 103, and Chapter 143, Page 307, of the Acts of the Regular Session of the 41st Legislature of Texas, and Chapter 81, Page 161, of the 2d Called Session, of the 41st Legislature of Texas, and all other laws pertaining to the collection of delinquent taxes by foreclosure suit shall only apply and be enforced as to the collection of delinquencies for the year 1914 and prior thereto, except in such instances as in this Act specified; provided, however that said laws specified in this Section shall not apply or be enforced in any event as to any parcel of real estate sold under this Act for delinquencies for year 1915 or thereafter, and further specially provided that Sections 1 to 14 inclusive of this Act shall not apply to the enforcement of the collection of delinquent taxes for any year prior to the year 1915.

Sec. 20. If any part of this Act or any Section thereof shall be held to be unconstitutional, then the remaining part shall be unaffected thereby and remain in full force and effect as the express intent of the Legislature.

Sec. 21. The fact that there is now no adequate law providing for the enforcement of tax liens and the authorization of sales of real property for unpaid delinquent taxes without suits in Court, and the fact that the enforcement thereof through foreclosure suits has proved to be insufficient resulting in millions of dollars of delinquent taxes, and the fact that there is an urgent and immediate need to reduce the exorbitant costs of the present method of collecting delinquent taxes creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days be suspended and it is hereby suspended and this Act shall take effect and be in force from and after its passage, and it is so enacted.



**In Memory**  
**of**  
**Mrs. John A. Lomax**

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**SIMPLE RESOLUTION NO. 144.**

Senator Holbrook sent up the following resolution:

WHEREAS, an all-wise Providence has removed from this life Mrs. John A. Lomax of Dallas, Texas, and

WHEREAS, both Mr. and Mrs. Lomax have through a long period of years been connected with the public life of this State in movements for the common good, and in every way have been an honor and a credit to the institutions they served, and

WHEREAS, Mr. Lomax has especially endeared himself to the educational forces of the Commonwealth through his great labors in the University of Texas and the A & M. College,

THEREFORE, BE IT RESOLVED by the Senate of Texas, that this memorial, expressive of our condolence in his great loss, be printed in the Juornal on a page set aside for that purpose and a copy of same be mailed by the Secretary to Mr. Lomax.

HOLBROOK,  
HORNSBY,  
WOODRUFF,  
ONEAL,  
WITT,  
HOPKINS.

Read and adopted unanimously by a rising vote.